(30)

HIGH COURT OF CHHATTISGARH, BILASPUR

W.P. (S)No. 5848/2007

PETITIONER K.Ram Murti Kishtaiya s/o Late Shri K. Kishtaiya aged about 32 years, Resident of Village Bhatpali, Tahsil Bhopal Pattnam District Dantewada(CG)

Versus

RESPONDENTS

1. State of Chhattisgarh, Through the Secretary, Revenue Department, Mantralay, DKS Bhawan, Raipur, (Chhattisgarh)
2. The Commissioner, Revenue Department, Chhattisgarh, Raipur (CG)
3. The Collector Bastar at Jagdalpur, District Bastar(CG)
4. Tahsildar, Narayanpur, District Bastar(CG)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUION OF INDIA

Appearance:

Shri Rakesh Anthony, Counsel for the petitioner.

Ms. Sunita Jain, Panel Lawyer for the State on advance copy.

ORAL ORDER
(4.10.2007)

SUNIL KUMAR SINHA, J.

Heard finally with the consent of the parties.

Learned counsel for the petitioner argues that the father of the petitioner, who was working as a Peon in Revenue Department under respondent No.4 in Narayanpur, District Bastar, has expired on 28.12.1998. Thereafter, the petitioner made an application for compassionate appointment, but his case was not considered. He refers to the memo dated 4.4.2001, issued by the Dy. Collector on behalf of Collector, Dantewada that since the father of the petitioner was working in Tahsil Office, Narayanpur, the application should be filed before the Tahsildar, Narayanpur. He argues that thereafter, the petitioner filed an application before the Tahsildar, Narayanpur, but no decision has been taken on the said application till date. He

makes a limited prayer that this petition may be disposed of with a direction to respondents No. 3 & 4 to consider and dispose of the application of the petitioner filed for compassionate appointment on the ground of death of his father, which is pending before respondent No.4.

This limited prayer is not opposed by learned counsel for the State.

The same is allowed.

It is directed that if so advised, the petitioner may file applications along with a copy of this order and a copy of writ petition before respondents No. 3 & 4, making prayer for disposal of his pending application for compassionate appointment and if such applications are filed before them and the application for compassionate appointment filed by the petitioner is still pending before them, they shall dispose of the said application in accordance with law and shall communicate the result of the same to the petitioner at the earliest.

With the above observations, this petition stands finally disposed of.

Sd/-
Sunil Kumar Sinha
Judge

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